

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PATTY BEALL, MATTHEW MAXWELL, \$
DAVID GRAVLEY, TALINA MCELHANY, \$
KELLY HAMPTON, KEVIN TULLOS, \$
CASEY BROWN, JASON BONNER, \$
ANTHONY DODD, ILENE MEYERS, \$
TOM O’HAVER, JOY BIBLES, DON \$
LOCCHI AND MELISSA PASTOR , \$
Individually and on behalf of all others \$
similarly situated; \$

Plaintiffs,

**TYLER TECHNOLOGIES, INC. AND
EDP ENTERPRISES, INC.
Defendants.**

[illegible]

2:08-cv-422 TJW

UNOPPOSED MOTION TO APPROVE LEGAL NOTICE AND CONSENT FORM

TO THE HONORABLE COURT:

Plaintiffs, PATTY BEALL, MATTHEW MAXWELL, DAVID GRAVLEY, TALINA MCELHANY, KELLY HAMPTON, KEVIN TULLOS, CASEY BROWN, JASON BONNER, ANTHONY DODD, ILENE MEYERS, TOM O’HAVER, JOY BIBLES, DON LOCCHI and MELISSA PASTOR, Individually and on behalf of all others similarly situated, files this their Unopposed Motion to Approve Legal Notice and Consent Form and request that the Court approve their Legal Notice and Consent Form attached hereto.

A. Introduction

1. Plaintiffs are PATTY BEALL, MATTHEW MAXWELL, DAVID GRAVLEY, TALINA MCELHANY, KELLY HAMPTON, KEVIN TULLOS, CASEY BROWN, JASON BONNER, ANTHONY DODD, ILENE MEYERS, TOM O’HAVER, JOY BIBLES, DON

LOCCHI and MELISSA PASTOR, Individually and on behalf of all others similarly situated; Defendants are TYLER TECHNOLOGIES, INC., and EDP ENTERPRISES, INC.

2. Plaintiffs sued Defendants to recover overtime wages pursuant to the Fair Labor Standards Act (“FLSA”).
3. The Court entered a Memorandum Opinion and Order on June 23, 2009, granting conditional certification and ordering the parties to confer on the content of the legal notice and opt-in consent form.
4. The Parties have conferred and agreed to the attached “Legal Notice” and “Consent to Opt-In” Forms.
5. Plaintiffs request that the Court approve the Notice and Consent to Opt-In forms for purposes of notifying potential class members and for purposes of opting in to the lawsuit.
6. Plaintiffs’ are filing their Legal Notice and Consent Form with this motion.

C. Conclusion

7. For these reasons, Plaintiffs asks the Court to approve their Legal Notice and Consent Form attached hereto.

Respectfully submitted,

SLOAN, BAGLEY & PERRY LAW FIRM

/s/ Laureen F. Bagley /

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on this the 10th day of July, a true and correct copy of this document was sent via electronic mail to the following:

Paulo B. McKeeby
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Sharon Fast Fulgham
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/s/ Laureen F. Bagley /

Laureen F. Bagley

CERTIFICATE OF CONFERENCE

I certify that on July 10, 2009, I conferred with Defense Counsel, Paulo B. McKeeby. Counsel has complied with the meet and confer requirement in Local Rule CV-7(h) and Defense counsel is Unopposed to Plaintiff's Motion to Approve Legal Notice and Consent Form. The personal conference required by this rule was conducted on July 10, 2009 via teleconference.

By: /s/ Laureen F. Bagley /
Laureen F. Bagley